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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,683	11/15/2000	Steven Guttman	22233.05481	9013

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INTERNATIONAL BUSINESS MACHINES CORP  
IP LAW  
555 BAILEY AVENUE, J46/G4  
SAN JOSE, CA 95141

EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/714,683

Applicant(s)

GUTTMAN ET AL.

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 21-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 25-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 21-24 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/11/05.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Application History*

1. This action is responsive to the application amendment, filed on 5/9/2005.
2. Applicant has amended claims 1, 5-7, 10-20 and 25-27.
3. Claims 21-24 were withdrawn on 6/29/2004 in response to the election restriction filed 6/1/2004
4. Claims 1-20 and 25-27 are pending in the case, claims 1, 7, 10, 12 and 25 are independent claims.
5. Acknowledgement is made to the applicant's submission of a supplemental Information Disclosure Statement, filed 3/11/2005.
6. Applicant has amended the drawings and specification in response to the objections cited by the examiner in the *Drawings* and *Specification* sections of the previous office action (dated 2/9/2005). Applicant's amendment has addressed the objections previously made, and therefore, in view of the amendment, objections to the drawings and specification are withdrawn.
7. Examiner's rejection of claims 1-4, 10-11 and 12-20, made under 35 USC 101 in the *Claim Rejections – 35 USC 101* section of the previous office action (dated 2/9/2005) is withdrawn in view of the amendments to the claims.

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8. Examiner's rejection of claims 13, 14 and 18-20, made under 35 USC 112 in the *Claim Rejections – 35 USC 112* section of the previous office action (dated 2/9/2005) is withdrawn in view of the amendments to the claims.
9. Examiner's rejection of claims 1-44, made under 35 USC 102 or 35 USC 103, as being anticipated or unpatentable in view of Rivette et al. US Patent 5,806,079 as recited in the previous office action (dated 2/10/2004) are withdrawn in view of the cancelled claims.

**Claim Rejections - 35 USC § 112**

10. The following is a quotation of the first paragraph of 35 U.S.C. 112:

*"The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention."*

11. Claims 12 and 14-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

12. **Regarding claim 12**, the amendment filed 5/9/2005 adds the following limitations: "*displaying, on a server system, a spreadsheet ...*" (first limitation, new matter shown underlined), "*allowing, on a server system, a designer/creator ...*" (second limitation, new matter shown underlined). The examiner has reviewed the originally filed specification, and has failed to find support for the added limitations. The originally filed specification does describe a server, but fails to describe a server performing the claimed function. Applicant is required to cancel the new matter in response to this office action.

13. **Regarding claims 14 and 15**, the amendment filed 5/9/2005 adds the following limitations to both claims: "*wherein, on the server system,*" (first

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limitations of the claims, new matter shown underlined). The examiner has reviewed the originally filed specification, and has failed to find support for the added limitations. The originally filed specification does describe a server, but fails to describe a server performing the claimed function. Applicant is required to cancel the new matter in response to this office action.

14. **Regarding claims 16-20**, the claims are dependent upon claim 12 and are rejected for fully incorporating the defects of the parent claim.

***Claim Rejections - 35 USC § 102***

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*"A person shall be entitled to a patent unless –*

*(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States."*

16. Claims 1, 5 10-20, 25-27 remain rejected under 35 U.S.C. 102(b) as being anticipated by Chester et al., Mastering Excel 97, published in 1997 by SYBEX Inc. (hereinafter Chester).
17. **Regarding independent claim 1**, Chester discloses a spreadsheet as a calculator. Chester recites: *"Excel calculates worksheet formulas when changes to the cell values so require"* (page 113, second paragraph). Chester discloses a spreadsheet as a web page. Chester recites: *"you can create an HTML web page from the data and objects on a worksheet, and ultimately publish the page at a web site"* (page 961, right hand column, paragraph 8). Inherently, the calculator web page would be served by the server and viewed by a client. Chester discloses requesting a spreadsheet web page by a user. Chester recites: *"To open a web document, choose FILE > OPEN and enter the HTTP address in the FILE NAME box"* (page 961, right hand column, last paragraph).

Chester discloses displaying a spreadsheet, wherein only certain cells in the spreadsheet are editable. Chester recites: "*Sometimes you may want to protect individual cells in a worksheet. Select FORMAT > CELLS, then select the Protection tab (Figure 11.3)*" (page 294, paragraph 1). Chester discloses a spreadsheet with both editable and non-editable cells. Chester recites; "*The following options are available from the Protection tab in the Formats cells dialog box. Locked: Cells can't be changed after the sheet is protected. Hidden: hides formulas after sheet is protected*" (page 294, second paragraph) and "*By default, each cell is individually set with Locked checked – you must individually unlock each cell that users will be allowed to change before you protect the worksheet*" (page 294, last paragraph).

Chester discloses spreadsheet cells with visually distinct indications, such as a border, in figure 23.4 on page 595, where the editable cells are shown with a border or as radio buttons.

18. **Regarding dependent claim 5**, Chester discloses spreadsheet cells with visually distinct indications, such as a border, where the border can be blue in color. Chester recites: "*Border: provides a preview of cell borders and controls which borders are applied to selected cells*" (page 126, first paragraph) and "*Color controls the color of the selected borders*" (page 125, last paragraph).
19. **Regarding independent claim 10**, the claim contains substantially the same subject matter as claim 1, and is rejected using the same rationale.



20. **Regarding dependent claim 11**, Chester discloses previewing the calculator spreadsheet. Chester recites: *"Preview: Displays a preview of the selected file in the open dialog box"* (page 34, second paragraph).
21. **Regarding independent claim 12**, the claim contains substantially the same subject matter as claim 1, and is rejected using the same rationale. Claim 12 is further directed toward cells with values that depend on values in other cells. Typically spreadsheet programs refer to this type of functionality as functions or formulas. Chester discloses the use of formulas on page 86 in the figure in the middle of the page (the example is the "AutoSum" function). Chester discloses cells depending on the value in other cells default to being non-editable. Chester recites: *"The worksheet is intended to be used by many non-technical users, and needs to be reasonably bulletproof. When you are done, you protect the worksheet so that users will not be able to delete objects or edit certain locked cells"* (page 600, first paragraph).
22. **Regarding dependent claims 13-15**, Chester discloses spreadsheet cells that are non-editable, and editable and cells values that depend on other cell values as described above. Chester further discloses that cells may contain text. Chester recites: *"Text in a cell can include any combination of letters, numbers and keyboard symbols"* (page 58, third paragraph).
23. **Regarding dependent claim 16**, Chester discloses the ability to toggle the edit ability of a cell on and off as described above, in reference to claim 1. Chester further discloses accessing the formatting controls by clicking on the

cell. Chester recites: *"A shortcut menu is a menu that you display by pointing at a certain object, then clicking the right mouse button"* (page 15, first paragraph in the shaded box) and *"Perhaps the most useful shortcut menu is the one displayed when you right-click on a cell. Commands like Cut, Copy, Paste and Format are available"* (page 15, second paragraph of the shaded box).

24. **Regarding dependent claim 17**, Chester discloses spreadsheet cells with border, where the border can be blue in color. Chester recites: *"Border: provides a preview of cell borders and controls which borders are applied to selected cells"* (page 126, first paragraph) and *"Color controls the color of the selected borders"* (page 125, last paragraph).

25. **Regarding dependent claims 18-20**, Chester discloses the use of an edit ability flag (claim 18), where the flag can be set to false (claim 19) or true (claim 20). Chester discloses the use of an edit ability flag in Figure 11.3 on page 294. The figure further discloses the flag having a true value (shown as a check mark in the selector box) or set to false (the absence of a check mark in the selector box).

26. **Regarding independent claim 25**, the claim contains substantially the same subject matter as claim 1, and is rejected using the same rationale. Claim 25 is further directed toward building an input box for editable cells, where the input box visually distinguishes the editable cells from the non-editable cells. Chester discloses spreadsheet cells with visually distinct

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indications, such as a border, in figure 23.4 on page 595, where the editable cells are shown with a border or as radio buttons, and the un-editable cells are shown without borders.

27. **Regarding dependent claim 26**, Chester discloses editable and non-editable cells as described above.

28. **Regarding dependent claim 27**, the claim is rejected for fully incorporating the deficiencies of the base claims.

***Claim Rejections - 35 USC § 103***

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."*

30. Claim 2 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Chester in view of Courter et al. Mastering Microsoft Office 2000 Professional Edition, published in 1999 by SYBEX Inc. (hereinafter Courter).

31. **Regarding dependent claim 2**, Chester discloses a spreadsheet as a calculator web page as described above. Chester fails to disclose e-mailing the calculator to a recipient. Courter teaches the e-mailing of Microsoft documents. Courter recites: *"Choose FILE > SEND TO > ROUTING RECIPIENT to display the Routing slip dialog box shown in Figure 12.9"* (page 282, paragraph 7) and see Figure 12.9 on page 183, which shows a dialog box where a user would enter a recipient's address.

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the web calculator spreadsheet of Chester, with the e-mail capabilities as taught by Courter in order to *"make sharing and exchanging documents a snap"* (Courter, page 282, third paragraph).

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32. Claims 3-4, 6-9 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chester in view of Pollack et al. US Patent 6,493,733, filed 6/23/2000, patented 12/10/2002 (hereinafter Pollack).
33. **Regarding dependent claims 3 and 4**, Chester discloses a spreadsheet as a calculator web page as described above. Chester fails to disclose copying HTML code based upon an ID of requested information (claim 3) where the HTML includes Java Script tags (claim 4). Pollack teaches copying HTML code based upon requested information. Pollack recites: "*One method to help web site authors insert interactive HTML object into their web pages was to provide the HTML code for the interactive HTML object over the Internet*" (column 1, lines 56-58). Pollack further recites: "*manually cut and paste the HTML code into his web page*" (column 7, lines 59-60). Pollack teaches the use of Java Script tags. Pollack recites: "*the web site providing the interactive content includes some client-side script (such as JavaScript or VBScript)*" (column 3, lines 22-24).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the web calculator spreadsheet of Chester, with the HTML inserting method of Pollack in order to "*reduce the complexity inserting interactive HTML objects into files*" (Pollack, column 3, lines 54-55).

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34. **Regarding dependent claim 6**, the claim contains substantially the same subject matter as claims 3 and 4, combined and is rejected using the same rationale.
35. **Regarding independent claim 7**, the claim contains substantially the same subject matter as claims 1 and 3, combined and is rejected using the same rationale.
36. **Regarding dependent claims 8 and 9**, the claim contains substantially the same subject matter as claim 4 and 3, respectively, and are rejected using the same rationale.

***Response to Arguments***

37. Applicant's arguments filed 5/9/2005 have been fully considered but they are not persuasive.

38. **Regarding claims 1, 5 and 10-26**, the applicant recites: "*the Chester publication does not disclose displaying a cell with a visual indication, for example, a border, based on the edit ability of that cell*" (page 17, fourth paragraph, of the amendment filed 5/9/2005). Claims 21-24 are withdrawn from consideration, per applicant's election dated 6/29/2004. Applicant is directed to the rejections of claims 1, 5 10-20, 25-27; as restated above. Applicant is further directed to figure 23.4 on page 595, wherein a editable cell is clearly shown with a border (shown as a box with a "2") and the un-editable cells (shown as the cell with the word "Car").

39. **Regarding claims 1 and 26**, the applicant recites: "*the Applicants submit that Claim 1 is also not anticipated by page 331, paragraph 4, of the Chester publication*" (page 18, first paragraph, of the amendment filed 5/9/2005). Applicant's arguments are directed toward the "building an input box" limitation, previously recited in claim 26, now currently recited in claim 25, and not recited in claim 1. Nevertheless, Chester discloses an input box for editable cells, as stated in the rejection of claim 25, described above. See Figure 23.4 on page 595 of Chester.

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40. **Regarding claim 12**, the applicant recites: *"the Chester publication does not teach looking at the cell dependency to determine whether a cell is editable or not"* (page 19, second paragraph, of the amendment filed 5/9/2005). Applicant is directed to the rejection of claim 12, as stated above.
41. **Regarding claim 16**, the applicant recites: *"the Chester publication does not teach toggling the editability of a cell in response to the designer/creator clicking on that cell"* (page 19, third paragraph, of the amendment filed 5/9/2005). Applicant is directed to the rejection of claim 16, as stated above.
42. **Regarding claim 13**, the applicant recites: *"the Chester publication does not teach looking at the cell dependency to determine whether a cell is editable or not"* (page 20, second paragraph, of the amendment filed 5/9/2005). Applicant is directed to the rejection of claim 13, as stated above.
43. **Regarding claims 2-4, 6 and 7**, the applicant recites: *"the Chester publication does not teach displaying a calculator web page wherein editable cells have a visually distinct indication from the non-editable cells"* (page 21, second paragraph, and page 22, second paragraph, of the amendment filed 5/9/2005). Applicant is directed to the rejection of claim 1, as stated above.



***Conclusion***

44. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn  
July 22, 2005

*William S. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*7/22/2005*